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10/648,125

August 25, 2003

| (to be used for all correspondence after initial filing)  |  | First Named Inventor  | Steve Grove                     |   |  |                                  |
|---|--|---|---------------------------------|---|--|----------------------------------|
|   |  | Art Unit  | 2171                            |   |  |                                  |
|   |  |   | Examiner Name                   | Breene, John E.   |  |                                  |
| Total Number of P   | Total Number of Pages in This Submission 6 |   |                                 | 3801P102  |  |                                  |
|   | ENCLOSURES (check all that apply)          |   |                                 |   |  |                                  |
| Fee Transmittal I   | Form                                       | Drawing(s)  |                                 | After Allowance Communication to Group                            |  |                                  |
| Fee Attach  | hed  | Licensing-r   | elated Papers                   | Appeal Communication to Board of Appeals and Interferences        |  |                                  |
| Amendment / Re  | esponse                                    | Petition  |                                 | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |  |                                  |
|   | After Final Affidavits/declaration(s)      |   | Convert a<br>Application        | Proprietary Information   |  |                                  |
| Extension of Time Request  Express Abandonment Request  |  | Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer |                                 | Status Letter  Other Enclosure(s) (please identify below):        |  |                                  |
|   |  |   |                                 |   |  | Information Disclosure Statement |
| PTO/SB/08   |  | CD, Number  | Electronically filed on 6/24/04 |   |  |                                  |
| Certified Copy of Priority Document(s)  |  |   |                                 | Postcard.   |  |                                  |
| Response to Mis   | ssing Parts/<br>ication                    | Remarks   |                                 |   |  |                                  |
| Basic Filing Fee Declaration/POA  |  |   | لہ                              |   |  |                                  |
| Response to Missing Parts under 37 CFR 1.52 or 1.53   |  |   |                                 |   |  |                                  |
|   | SIGNATUR                                   | E OF APPLICA  | NT, ATTORNEY, OR AC             | SENT  |  |                                  |
| Firm  | Firm André L. Marais, Reg. No. 48,095      |   |                                 |   |  |                                  |
| or<br>Individual name   | or   |   |                                 |   |  |                                  |
| Signature   |  |   |                                 |   |  |                                  |
| Date 05/24/04   |  |   |                                 |   |  |                                  |
| CERTIFICATE OF MAILING/TRANSMISSION   |  |   |                                 |   |  |                                  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |  |   |                                 |   |  |                                  |
| Typed or printed name Geneva Walls  |  |   |                                 |   |  |                                  |
| Signature Amusa Walks Date 6/24/04  |  |   |                                 |   |  |                                  |

Application No.

Filing Date

Based on PTO/SB/21 (04-04) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 06/04/2004. SEND TO: Commissioner for Patents, P.O. Box/1450, Alexandria, VA 22313-1450

| W Le SE   |                      |                               |  |  |  |
|---|----------------------|-------------------------------|--|--|--|
| EXE TO ANOMITTAL  | Complete if Known    |                               |  |  |  |
| FEE TRANSMITTAL<br>for FY 2004                                    | Application Number   | 10/648,125<br>August 25, 2003 |  |  |  |
| for FY 2004   | Filing Date          |                               |  |  |  |
| Effective 01/01/2004. Patent fees are subject to annual revision. | First Named Inventor | Steve Grove                   |  |  |  |
| Applicant claims small entity status. See 37 CFR 1.27.            | Examiner Name        | Breene, John E.               |  |  |  |
|   | Art Unit             | 2171                          |  |  |  |
| TOTAL AMOUNT OF PAYMENT (\$)                                      | Attomey Docket No.   | 3801P102                      |  |  |  |

| METHOD OF PAYMENT (check all that apply)  |              | FEE CALCULATION (continued) |              |              |   |               |
|---|--------------|-----------------------------|--------------|--------------|---|---------------|
| ☐ Check ☐ Credit card ☐ Money ☐ Other ☒ None  | 3. A         | OITIDO                      | NAL          | FEES         | 3   |               |
| ☐ Check ☐ Credit card ☐ Order ☐ Outler ☐ Notice   | Large        | Entity                      | Sma          | II Entity    | ,   |               |
|   | Fee<br>Code  | Fee<br>(\$)                 | Fee<br>Code  | Fee<br>(\$)  | - For Promission  | Fee Paid      |
| Deposit<br>Account 02-2666  |              | 130                         |              | 65           | Fee Description  Surcharge - late filing fee or oath                              | ree ratu      |
| Number  | 1051<br>1052 | 50                          | 2051<br>2052 | 25           | Surcharge - late provisional filing fee or  |               |
| Account Name Blakely, Sokoloff, Taylor & Zafman LLP   |              | 400                         |              | 400          | cover sheet.  |               |
|   | 2053<br>1812 | 130<br>2,520                | 2053<br>1812 | 130<br>2,520 | Non-English specification  For filing a request for <i>ex parte</i> reexamination | <del></del> ' |
| The Commissioner is authorized to: ( check ell that apply)  Charge fee(s) indicated below Credit any overpayments                                 |              | 920*                        | 1804         | 920 1        | * Requesting publication of SIR prior to Examiner action                          |               |
| Charge fee(s) indicated below Credit any overpayments  Charge any 8 dit on the control of fees as required under 37  CEP SE 1 16 117 118 and 1 20 |              | 1,840*                      | 1805         | 1 840 1      | * Requesting publication of SIR after   |               |
| CFR §§ 1.16, 1.17, 1.18 and 1.20.  Charge fee(s) indicated below, except for the filling fee  | 1805         | 1,040                       | 1805         | 1,040        | Examiner action   |               |
| to the above-identified deposit account   | 1251         | 110                         | 2251         | 55           | Extension for reply within first month  |               |
| FEE CALCULATION   | 1252         | 420                         | 2252         | 210          | Extension for reply within second month   |               |
| 1. BASIC FILING FEE   | 1253         | 950                         | 2253         | 475          | Extension for reply within third month  |               |
| Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid  | 1254         | 1,480                       | 2254         | 740          | Extension for repty within fourth month  Extension for repty within fifth month   |               |
| Code (5) Code (5)   | 1255<br>1404 | 2,010<br>330                | 2255         | 1,005<br>165 | Notice of Appeal  |               |
| 1001 770 2001 385 Utility filing fee  | 1404         | 330                         | 2402         | 165          | Filing a brief in support of an appeal  |               |
| 1002 340 2002 170 Design filling fee  | 1403         | 290                         | 2403         | 145          | Request for oral hearing  |               |
| 1003 530 2003 265 Plant filing fee<br>1004 770 2004 385 Reissue filing fee  | 1451         | 1,510                       | 2451         | 1,510        | Petition to institute a public use proceeding                                     |               |
| 1005 160 2005 80 Provisional filing fee   | 1452         | 110                         | 2452         | 55           | Petition to revive - unavoidable  |               |
| SUBTOTAL (1) (\$)   | 1453         | 1,330                       | 2453         | 665          | Petition to revive - unintentional  |               |
|   | 1501         | 1,330                       | 2501         | 665          | Utility issue fee (or reissue)  |               |
| 2. EXTRA CLAIM FEES Extra Fee from Claims below Fee Paid  | 1502<br>1503 | 480<br>640                  | 2502         | 240<br>320   | Design issue fee Plant issue fee  |               |
| Total Claims below Fee Paid   | 1460         | 130                         | 2460         | 130          | Petitions to the Commissioner   |               |
| Independent Claims X = X  | 1807         | 50                          | 1807         | 50           | Processing fee under 37 CFR 1.17(q)   |               |
| Multiple Dependent  | 1806         | 180                         | 1806         | 180          | Submission of Information Disclosure Stmt   |               |
| Large Entity Small Entity   | 8021         | 40                          | 8021         | 40           | Recording each patent assignment per property (times number of properties)        |               |
| Fee Fee Fee Fee Fee Description Code (\$)   | 1809         | 770                         | 1809         | 385          |   |               |
| 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3   | 1810         | 770                         | 2810         | 385          | For each additional invention to be examined (37 CFR § 1.129(b))                  |               |
| 1203 290 2203 145 Multiple Dependent claim, if not paid   | 1801         | 770                         | 2801         | 385          | Request for Continued Examination (RCE)   |               |
| 1204 86 2204 43 **Reissue independent claims over original patent   | 1802         | 900                         | 1802         | 900          | Request for expedited examination   | <u> </u>      |
| 1205 18 2205 9 **Reissue claims in excess of 20 and over<br>original patent   |              | e (specify)                 |              | _            | of a design application   |               |
| SUBTOTAL (2) (\$)   |              |                             |              |              |   |               |
| **or number previously paid, if greater, For Reissues, see below  | *Reduced     | l by Basic Filir            | ng Fee Pa    | id           | SUBTOTAL (3) (\$)   |               |
| SUBMITTED BY Complete (if applicable)   |              |                             |              |              |   |               |
| Name (Print/Type) André L. Marais   |              | egistrationey/Age           |              |              | 48.095 Telephone (408) 947-   | 8200          |
| Signature   | >            |                             |              |              | Date 06 /2 4  | 104           |

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**FEE TRANSMITTAL** Complete if Known Application Number 10/648,125 for FY 2004 Filing Date August 25, 2003 Effective 01/01/2004. Patent fees are subject to annual revision. First Named Inventor Steve Grove **Examiner Name** Breene, John E Applicant claims small entity status. See 37 CFR 1.27. Art Unit 2171 TOTAL AMOUNT OF PAYMENT (\$) Attorney Docket No. 3801P102 METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) **ADDITIONAL FEES** Money Order Other Credit card X None ☐ Check Large Entity Small Entity Deposit Account Code (5) Code ß Fee Paid Deposit Fee Description 02-2666 Account 65 Surcharge - late filing fee or oath 130 Number 1051 2051 1052 50 2052 Surcharge - late provisional filing fee or Deposit cover sheet. Accoun Blakely, Sokoloff, Taylor & Zafman LLP Name 130 Non-English specification 2053 130 2053 2.520 1812 2,520 For filing a request for ex parte reexamination 1812 The Commissioner is authorized to: ( check all that apply) 920 1804 920 Requesting publication of SIR prior to 1804 Charge fee(s) indicated below Credit any overpayments Examiner action Charge any additional fee(s) or underpayment of fees as required under 37 1,840 \* Requesting publication of SIR after 1,840\* 1805 CFR §§ 1.16, 1.17, 1.18 and 1.20. 1805 Examiner action Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account 55 Extension for reply within first month 110 2251 1251 Extension for reply within second month **FEE CALCULATION** 420 2252 1252 Extension for reply within third month **BASIC FILING FEE** 950 1253 2253 Extension for reply within fourth month 1,480 Large Entity Small Entit 1254 2254 Fee Description Fee Paid Extension for reply within fifth month 2,010 2255 1255 Code (\$) Code Notice of Appeal 165 1404 330 2401 Utility filing fee 770 385 1001 2001 Filing a brief in support of an appeal 1402 330 2402 165 2002 170 Design filing fee 1002 340 145 Request for oral hearing 1403 290 2403 Plant filing fee 265 1003 530 2003 Petition to institute a public use proceeding 1,510 2451 1451 Reissue filino fee 1004 770 2004 385 2452 Petition to revive - unavoidable 110 55 Provisional filing fee 160 2005 1005 1,330 Petition to revive - unintentional 1453 2453 SUBTOTAL (1) (\$) 1501 1,330 2501 665 Utility issue fee (or reissue) 480 2502 240 Design issue fee EXTRA CLAIM FEES Extra 1502 Fee Paid 1503 2503 320 Plant issue fee holow 640 Total Claims 2460 Petitions to the Commissioner 130 20 Independent Claims 50 Processing fee under 37 CFR 1.17(q) 1807 1807 50 Multiple Dependent Submission of Information Disclosure Stmt 1806 180 1806 8021 Recording each patent assignment per Large Entity 8021 40 property (times number of properties) Fee Description 385 · Filing a submission after final rejection (37 CFR § 1.129(a)) (3) 1809 770 1809 18 Claims in excess of 20 1202 2202 For each additional invention to be 1810 770 2810 385 1201 86 2201 43 Independent claims in excess of 3 examined (37 CFR § 1.129(b)) Multiple Dependent claim, if not paid 290 2203 145 1203 Request for Continued Examination (RCE) 1801 770 2801 1204 86 2204 43 "Reissue independent claims over original Request for expedited examination patent 1802 900 1802 of a design application \*\*Reissue claims in excess of 20 and over Other fee (specify) 1205 18 2205 original patent

SUBMITTED BY

Name (Print/Type) André L. Marais

Registration No. (Attorney/Agent) 48,095

Complete (if applicable)

Telephone (408) 947-8200

Date CX /2 4/04

\*Reduced by Basic Filing Fee Paid

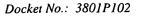
SUBTOTAL (3)

Based on PTO/SB/17 (10-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 02/10/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

(\$)

SUBTOTAL (2)

\*\*or number previously paid, if greater, For Reissues, see below





In Re the Application of:

STEVE GROVE, ET AL.

Application No.: 10/648,125

Filed: August 25, 2003

For: Method And System To Generate A Listing

In A Network-Based Commerce System

Art Group: 2171

Examiner: Breene, John E.

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a patent office in a counterpart application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated April 16, 2004 (copy enclosed herewith) in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated April 14, 2004.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Applicant has concurrently submitted an electronic Information Disclosure Statement(s). Any fees that are required for submission of an Information Disclosure Statement were included in the electronic submission. Applicant respectfully requests that one submitted fee be accepted for the second and any subsequent Information Disclosure Statement submissions.

Respectfully submitted,

BLAKELY SOKOLOFF, TAYLOR & ZAFMAN LLP

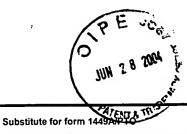
André L. Marais, Reg. No. 48,095

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (408) 947-8200

0x/24/04

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## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

1

Sheet

Complete if Known Application Number 10/648,125 August 25, 2003 Filing Date First Named Inventor Steve Grove Art Unit 2171 Breene, John E. **Examiner Name** Attorney Docket Number of 1 3801P102

| NON PATENT LITERATURE DOCUMENTS |   |   |  |  |
|---------------------------------|---|---|--|--|
| Cite<br>No.1                    | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T²  |  |  |
|                                 | International Search Report, PCT/USO3/41543, 30 December 2003, p 5.   |   |  |  |
|                                 |   |   |  |  |
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|                                 | Cite<br>No.'  | International Search Report, PCT/USO3/41543, 30 December 2003, p 5. |  |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include

<sup>&#</sup>x27;Applicant's unique citation designation number. 3Applicant is to place a check mark here if English language Translation is attached.